

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

BRIAN JAMES DABNEY,

Petitioner,

Case Number: 2:14-CV-14935
HON. GERSHWIN A. DRAIN

v.

SHANE PLACE,

Respondent.

_____ /

**ORDER DENYING PETITIONER'S
MOTION FOR APPOINTMENT OF COUNSEL [#3]**

Petitioner Brian James Dabney, a state prisoner confined at the Baraga Correctional Facility in Baraga, Michigan, has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Presently before the Court is Petitioner's Motion for Appointment of Counsel [#3].

A petitioner has no absolute right to be represented by counsel on federal habeas corpus review. *See Abdur-Rahman v. Michigan Dep't of Corr.*, 65 F.3d 489, 492 (6th Cir. 1995); *see also Wright v. West*, 505 U.S. 277, 293 (1992) (citing *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987)). “[A]ppointment of counsel in a civil case is . . . a matter within the discretion of the court. It is a privilege and not a right.” *Childs v. Pellegrin*, 822 F.2d 1382, 1384 (6th Cir. 1987). A habeas petitioner may obtain representation at any stage of the case “[w]henver the United States magistrate or the court determines that the interests of justice so require.” 18 U.S.C. § 3006A(a)(2)(B).

The Court determines that the interests of justice do not require appointment of counsel at this time. Accordingly, the Court **DENIES WITHOUT PREJUDICE** Petitioner's Motion for Appointment of Counsel [#3].

SO ORDERED.

Dated: May 20, 2015
Detroit, Michigan

s/Gershwin A. Drain
GERSHWIN A. DRAIN
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on May 20, 2015.

s/Tanya R. Bankston
TANYA R.BANKSTON
Case Manager & Deputy Clerk